

EA



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,738	01/05/2001	Michelle R. Sandholm	ISAA0011	3743
22862	7590	08/11/2005	EXAMINER	
GLENN PATENT GROUP 3475 EDISON WAY, SUITE L MENLO PARK, CA 94025			THAI, CANG G	
			ART UNIT	PAPER NUMBER
			3629	
DATE MAILED: 08/11/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/755,738	SANDHOLM ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Cang G. Thai	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 3/14/2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-85 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-85 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

91

## DETAILED ACTION

### *Response to Amendment*

The amendment filed 03/14/2005 has been entered.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-84 and 85 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,725,399 (BOWMAN).

As for Claim 1, BOWMAN discloses a method for developing a multi-channel marketing database in a computer network, which database provides a service offering that enables multi-channel marketers to analyze, create, track, control, coordinate, and execute marketing strategies across multiple customer touch points using various communications media and methods, said method comprising the steps of:

Art Unit: 3629

- a) providing a first phase for planning {Column 2, Lines 44-47, wherein this reads over “key process area a test plan is created which defines the scope of the software tests, the approach to complete the test, resources required and the acceptance criteria for the test”},
- b) responsive to said providing a first phase for planning, {Column 2, Lines 44-47, wherein this reads over “in the first key process area a test plan is created which defines the scope of the software test, the approach to complete the test, resources required and the acceptance criteria for the test} providing second phase for discovery, comprising business and technical requirements gathering {Column 2, Lines 53-56, wherein this reads over “the controlled environment simulates a business environment in which the application programs will operate so that results are not skewed by technical environment variables”}.
- c) responsive to said providing a second phase for discovery, providing a third phase for design, comprising reviewing data analysis and determining specifications {Column 2, Lines 61-65, wherein this reads over “process area is results analysis wherein a review identifies the areas of the software that need to be repaired and ultimately re-tested and the collection and analysis of metrics used to measure the software system’s readiness as defined in the test plan are collected”}. This step (c) is a protocol for carrying out during phase for design.
- d) responsive to said providing a third phase for design, providing a fourth phase of development comprising creating and modifying software programs and performing unit system test on the computer network {Column 7, Lines 38-41,

wherein this reads over “system testing ensure that the entire integrated software system meets requirements. It consists of bringing together and exercising all elements of the product in a real world, or accurately simulated, environment.”}, and

- e) responsive to said providing a fourth phase for development, providing a fifth phase for deployment {Column 2, Lines 57-60, wherein this reads over “key process area is test execution wherein the test cases defined”}. This step (e) is the result of the test.

As for Claim 2, BOWMAN discloses one in five phases are complete, and on-going support and maintenance mode is provided {Column 4, Lines 16-18, wherein this reads over “process analysis on a requirements basis wherein the end user's needs are supported by an independent vendor software program}.

As for Claim 3, BOWMAN discloses wherein method is again followed if enhancement projects are required once in five phases are complete {Column 4, Lines 62-64, wherein this reads over “correct test case execution dependencies must be established and used to control the flow of the tests as they are executed”}.

As for Claim 4, BOWMAN discloses wherein planning step further comprises the step of project formation {Column 6, Lines 7-8, wherein this reads over “quantify the degree to which the application supports the business requirements that drove its development”}.

As for Claim 5, BOWMAN wherein the project formations step further comprises the step of reviewing client expectations {Column 6, Lines 18-19, wherein this reads over “complete software testing activity within project cost parameters”}.

As for Claim 6, BOWMAN discloses wherein project formation step further comprises the step of defining project participants and roles {Column 6, Lines 16-17, wherein this reads over “complete software testing activity within project schedule parameters”}.

As for Claim 7, BOWMAN discloses wherein the project formation step further comprises the step of creating a project plan {Column 5, Lines 59-60, wherein this reads over “creating customized payroll solutions for companies in the retail industry”}.

As for Claim 8, BOWMAN discloses wherein planning step further comprises the step of project initiation {Column 5, Lines 45-47, wherein this reads over “the initial release, the application will process the entire payroll processing for the company”}.

As for Claim 9, BOWMAN discloses wherein project initiation step further comprises the step of planning a client kick-off meeting {Column 5, Lines 61-63, wherein this reads over “ABC HR (client) specialist working conjunction with analyst personnel from the ISV (vendor) will define both the application and technical requirements for the application”}.

As for Claim 10, BOWMAN discloses wherein project initiations step further comprise the step of reviewing client executive sponsor responsibilities {Column 6, Lines 2-5, wherein this reads over “the overall goal of this test is to adequately test the

Art Unit: 3629

new payroll software to determine its ability to support the employee growth expected as part of the company business plan”}.

As for Claim 11, BOWMAN discloses wherein project initiations step further comprise the step of establishing project communication standards {Column 9, Lines 29-31, wherein this reads over “communication will take place over the existing private IP network and security will be handled using an existing online security database”}.

As for Claim 12, BOWMAN discloses wherein project initiations step further comprises the step of preparing company team members for discovery {Column 9, Lines 34-36, wherein this reads over “controlled data (data that will yield predictable results) needs to be available for testing; the process used to obtain this data should be documented for use in the future projects”}.

As for Claim 13, which has same limitation as in Claim 9, therefore, it is rejected for the similar reasons set forth in Claim 9.

As for Claim 14, BOWMAN discloses wherein discovery step further comprises the step of business requirements gathering {Column 6, Lines 7-8, wherein this reads over “quantify the degree which the application supports the business requirements that drove its development”}.

As for Claim 15, BOWMAN discloses wherein business requirements gathering step further comprises the step of reviewing a client’s mission statement and business objectives {Column 6, Lines 2-5, wherein this reads over “the overall goal of this test is to adequately test the new payroll software to determine its ability to support the employee growth expected as part of the company’s business plan”}.

As for Claim 16, BOWMAN discloses wherein business requirements gathering step further comprises the step of reviewing a client's organizational structure {Column 6, Lines 9-10, wherein this reads over "provide recommendations for a release decision based on the quantified results"}.

As for Claim 17, BOWMAN discloses wherein business requirements gathering step further comprises the step of reviewing a client's product and/or service offerings {Column 6, Lines 32-33, wherein this reads over "update the name, insurance, salary, department, and benefits fields in the employee record"}.

As for Claim 18, BOWMAN discloses wherein business requirements gathering step further comprises the step of reviewing a client's target market and competition {Column 1, Lines 12-14, wherein this reads over "suited for determining the level of effectiveness achieved by a computer program or software when tailored to a business requirements"}. It appears that effectiveness achieved by a computer program or software would read over the target market and competition.

As for Claim 19, BOWMAN discloses wherein business requirements gathering step further comprises the step of reviewing a client's campaign management strategies {Column 1, Lines 12-14, wherein this reads over "suited for determining the level of effectiveness achieved by a computer program or software when tailored to a business requirements"}. It appears that effectiveness achieved by a computer program or software would read over a client's campaign management strategies.

As for Claim 20, BOWMAN discloses wherein business requirements gathering step further comprises the step of reviewing a client's critical success factors {Column 1,



Art Unit: 3629

Lines 12-14, wherein this reads over “suited for determining the level of effectiveness achieved by a computer program or software when tailored to a business requirements”}. It appears that effectiveness achieved by a computer program or software would read over the critical success factors.

As for Claim 21, BOWMAN discloses wherein discovery step further comprises the step of multi-channel marketing database requirements gathering {Column 57, Lines 66-67, wherein this reads over “performing a full upgrade between the source and the target database”}. It appears that performing a full upgrade would read over the discovery step further comprises of multi-channel marketing database.

As for Claim 22, BOWMAN discloses wherein multi-channel marketing database requirements gathering step further comprises the step of reviewing multi-channel marketing database reports and templates {Column 5, Lines 62-63, wherein this reads over “analyst personnel from the ISV (vendor) will define both the application and technical requirements for the application”}.

As for Claim 23, BOWMAN discloses wherein multi-channel marketing database requirements gathering step further comprises the step of reviewing a client’s additional requirements {Column 5, Lines 62-63, wherein this reads over “analyst personnel from the ISV (vendor) will define both the application and technical requirements for the application”}.

As for Claim 24, BOWMAN discloses wherein multi-channel marketing database requirements gathering step further comprises the step of reviewing multi-channel marketing database data feeds {Column 6, Lines 3-5, wherein this reads over “the

Art Unit: 3629

ability to support the employee growth expected as part of the company's business plan"}.

As for Claim 25, BOWMAN discloses wherein multi-channel marketing database requirements gathering step further comprises the step of reviewing multi-channel marketing database calculations {Column 5, Lines 1-2, wherein this reads over "test result analysis, wherein test results logged in key process area are reviewed"}.

As for Claim 26, BOWMAN discloses wherein multi-channel marketing database requirements gathering step further comprises the step of reviewing multi-channel marketing update requirements {Column 6, Lines 32-33, wherein this reads over "updated name, insurance, salary, department, and benefits fields in the employee record"}.

As for Claim 27, BOWMAN discloses wherein multi-channel marketing database requirements gathering step further comprises the step of reviewing multi-channel marketing database access requirements {Column 6, Lines 35-36, wherein this reads over "delete both individual employee records as well as purge all employee records from the database"}.

As for Claim 28, BOWMAN discloses wherein discovery step further comprises the step of technical requirements gathering {Column 6, Lines 7-8, wherein this reads over "quantify the degree to which the application supports the business requirements that drove its development"}.

As for Claim 29, BOWMAN discloses wherein technical requirements gathering step further comprises the step of reviewing connectivity, user access, and support

Art Unit: 3629

requirements {analyst personnel from the ISV (vendor) will define both the application and technical requirements for the application”}.

As for Claim 30, BOWMAN discloses wherein technical requirements gathering step further comprises the step of reviewing retention, backup, and security requirements {Column 30, Lines 6-6, wherein this reads over “database size and space requirements (need to ensure that enough server space is being allocated for rollbacks, table sizing, backups, etc.”}.

As for Claim 31, BOWMAN discloses wherein technical requirements gathering step further comprises the step of reviewing future migration requirements {Column 10, Lines 29-34, wherein this reads over “the involvement of the HR management and business analyst personnel will mitigate this risk”}.

As for Claim 32, BOWMAN discloses wherein discovery step further comprises the step of discovery document compilation {Column 58, Lines 51-52, wherein this reads over “incremental backups will be done for every day of the work week except the last day”}.

As for Claim 33, BOWMAN discloses wherein discovery step further comprises the step of discovery document delivery {Column 5, Lines 1-2, wherein this reads over “test results analysis, wherein test results logged in key process area are reviewed”}.

As for Claim 34, BOWMAN discloses wherein design step further comprises the step of preparing company team members for design {Column 4, Lines 4-7, wherein this reads over “a management report typically would be developed which contains

descriptions and recommendations for improvement”}. It appears that a management report is also referring to the company team members for design.

As for Claim 35, BOWMAN discloses wherein design step further comprises the step of ordering multi-channel marketing database software {Column 9, Lines 61-62, wherein this reads over “the Microsoft Office products will be used to assist the test team in completing this area plan”}.

As for Claim 36, BOWMAN discloses wherein design step further comprises the step of planning a design meeting {Column 2, Lines 43-47, wherein this reads over “test plan is created which defines the scope of the software test, the approach to complete the test, resources required and the acceptance criteria for the test”}.

As for Claim 37, BOWMAN discloses wherein design step further comprises the step of conducting a design meeting {Column 7, Lines 43-47, wherein this reads over “test plan is created which defines the scope of the software test, the approach to complete the test, resources required and the acceptance criteria for the test”}.

As for Claim 38, BOWMAN discloses wherein conducting a design meeting step further comprises the step of data mapping {Column 5, Lines 5-7, wherein this reads over “software system’s readiness as defined by the test plan created in key process area are collected”}.

As for Claim 39, BOWMAN discloses wherein conducting a design meeting step further comprises the step of data analysis review {Column 5, Lines 7-8, wherein this reads over “the test results analysis process is shown schematically in results analysis process”}.

As for Claim 40, BOWMAN discloses wherein conducting a design meeting step further comprises the step of updating database specifications {Column 5, Lines 61-63, wherein this reads over "ABC HR (client) specialist working conjunction with analyst personnel from the ISV (vendor) will define both the application and technical requirements for the application"}.

As for Claim 41, BOWMAN discloses wherein conducting a design meeting step further comprises the step of determining calculation specifications {Column 5, Lines 61-63, wherein this reads over "ABC HR (client) specialist working conjunction with analyst personnel from the ISV (vendor) will define both the application and technical requirements for the application"}.

As for Claim 42, BOWMAN discloses wherein conducting a design meeting step further comprises the step of determining mapping, report, and query template specifications {Column 5, Lines 61-63, wherein this reads over "ABC HR (client) specialist working conjunction with analyst personnel from the ISV (vendor) will define both the application and technical requirements for the application"}.

As for Claim 43, BOWMAN discloses wherein conducting a design meeting step further comprises the step of determining campaign management specifications and schedules {Column 5, Lines 61-63, wherein this reads over "ABC HR (client) specialist working conjunction with analyst personnel from the ISV (vendor) will define both the application and technical requirements for the application"}.

As for Claim 44, BOWMAN discloses wherein design step further comprises the step of design document compilation {Column 9, Lines 34-35, wherein this reads over

Art Unit: 3629

“controlled data (data that will yield predictable results) needs to be available for testing”}.

As for Claim 45, BOWMAN discloses wherein design step further comprises the step of design document delivery {Column 9, Lines 34-35, wherein this reads over “controlled data (data that will yield predictable results) needs to be available for testing”}.

As for Claim 46, which has same limitation as in Claim 36, therefore, it is rejected for the similar reasons set forth in Claim 36.

As for Claim 47, which has same limitation as in Claim 37, therefore, it is rejected for the similar reasons set forth in Claim 37.

As for Claim 48, BOWMAN discloses wherein development step further comprises the step of analyzing test load and update files {Column 9, Lines 34-36, wherein this reads over “controlled data (data that will yield predictable results) needs to be available for testing. The process used to obtain this data should be documented for use in the future projects.”}.

As for Claim 49, BOWMAN discloses wherein development step further comprises the step of creating a physical data model {See Column 68, Lines 47-66, Example 7 – Summarized Metrics from Payroll Execution}.

As for Claim 50, BOWMAN discloses wherein development step further comprises the step of creating/ modifying specifications {Column 5, Lines 61-63, wherein this reads over “ABC HR (client) specialist working conjunction with analyst

personnel from the ISV (vendor) will define both the application and technical requirements for the application”}.

As for Claim 51, BOWMAN discloses wherein creating/ modifying specifications step further comprises the step of performing data preparation and determining integration specifications for initial load and on-going updates {Column 5, Lines 61-63, wherein this reads over “ABC HR (client) specialist working conjunction with analyst personnel from the ISV (vendor) will define both the application and technical requirements for the application”}.

As for Claim 52, BOWMAN discloses wherein creating/ modifying specifications step further comprises the step of developing database management specifications for Initial Load and On-Going Updates {Column 5, Lines 61-63, wherein this reads over “ABC HR (client) specialist working conjunction with analyst personnel from the ISV (vendor) will define both the application and technical requirements for the application”}.

As for Claim 53, BOWMAN discloses wherein creating/ modifying specifications step further comprises the step of developing report specifications {Column 5, Lines 61-63, wherein this reads over “ABC HR (client) specialist working conjunction with analyst personnel from the ISV (vendor) will define both the application and technical requirements for the application”}.

As for Claim 54, BOWMAN discloses wherein creating/ modifying specifications step further comprises the step of developing query templates specifications {Column 5, Lines 61-63, wherein this reads over “ABC HR (client) specialist working conjunction

Art Unit: 3629

with analyst personnel from the ISV (vendor) will define both the application and technical requirements for the application”}.

As for Claim 55, BOWMAN discloses wherein creating/ modifying specifications step further comprises the step of creating a test database {See Column 68, Lines 47-66, Example 7 – Summarized Metrics from Payroll Execution}.

As for Claim 56, BOWMAN discloses wherein development step further comprises the step of creating one or more unit and system test plans {See Column 68, Lines 47-66, Example 7 – Summarized Metrics from Payroll Execution}.

As for Claim 57, BOWMAN discloses wherein creating one or more unit and system test plans step further comprises the step of data preparation and developing test plans for initial load and on-going updates {Column 7, Lines 53-58, wherein this reads over “acceptance testing is generally developed and performed by the client or application specialist and is conducted to determined whether a system satisfies its acceptance criteria by validating that requirements have been met, including the documentation and business processes”}.

As for Claim 58, BOWMAN discloses wherein creating one or more unit and system test plans step further comprises the step of developing database management test plans for initial load and on-going updates {Column 8, Lines 1-2, wherein this reads over “regression testing is often a repeating process a testing cycle”}.

As for Claim 59, BOWMAN discloses wherein creating one or more unit and system test plans step further comprises the step of developing report test plans



Art Unit: 3629

{Column 8, Lines 1-2, wherein this reads over “regression testing is often a repeating process a testing cycle”}.

As for Claim 60, BOWMAN discloses wherein creating one or more unit and system test plans step further comprises the step of developing query template test plans {Column 8, Lines 1-2, wherein this reads over “regression testing is often a repeating process a testing cycle”}.

As for Claim 61, BOWMAN discloses wherein development step further comprises the step of creating/ modifying programs and routines {Column 8, Lines 1-2, wherein this reads over “regression testing is often a repeating process a testing cycle”}.

As for Claim 62, which has same limitation as in Claim 62, therefore, it is rejected for the similar reasons set forth in Claim 62.

As for Claim 63, which has same limitation as in Claim 36, therefore, it is rejected for the similar reasons set forth in Claim 36.

As for Claim 64, BOWMAN discloses wherein creating/ modifying programs and routines step further comprises the step of developing report programs {Column 5, Line 52, wherein this reads over “reporting on payroll processing”}.

As for Claim 65, which has same limitation as in Claim 60, therefore, it is rejected for the similar reasons set forth in Claim 60.

As for Claim 66, BOWMAN discloses wherein development step further comprises the step of performing unit/ system tests {Column 7, Lines 32-33, wherein this reads over “system testing is the tasting of a configuration to ensure known and predictable results”}.

As for Claim 67, which has same limitation as in Claim 60, therefore, it is rejected for the similar reasons set forth in Claim 60.

As for Claim 68, which has same limitation as in Claim 60, therefore, it is rejected for the similar reasons set forth in Claim 60.

As for Claim 69, which has same limitation as in Claim 59, therefore, it is rejected for the similar reasons set forth in Claim 59.

As for Claim 70, which has same limitation as in Claim 60, therefore, it is rejected for the similar reasons set forth in Claim 60.

As for Claim 71, which has same limitation as in Claim 68, therefore, it is rejected for the similar reasons set forth in Claim 68.

As for Claim 72, which has same limitation as in Claim 70, therefore, it is rejected for the similar reasons set forth in Claim 70.

As for Claim 73, BOWMAN discloses wherein development step further comprises the step of configuring internal end-user tools {Column 7, Lines 31-32, wherein this reads over "system testing is the tasting of a configuring to ensure known and predictable results"}.

As for Claim 74, BOWMAN discloses wherein development step further comprises the step of performing database tuning {See Fig. 12, Element ID 92 – Refresh Database}.

As for Claim 75, BOWMAN discloses wherein development step further comprises the step of preparing for deployment tool training {See Fig. 2, Element 1.1 – Business Requirement Review}.

As for Claim 76, BOWMAN discloses wherein development step further comprises the step of constructing a deployment plan {See Fig. 2, Element 1.2 – Define/Refine Test Scope}.

As for Claim 77, BOWMAN discloses wherein deployment step further comprises the step of planning a deployment meeting {See Fig. 2, Element 1.8 – Test Plan Approval}.

As for Claim 78, BOWMAN discloses wherein deployment step further comprises the step of conducting a deployment meeting {See Fig. 2, Element 1.8 – Test Plan Approval}.

As for Claim 79, BOWMAN discloses wherein deployment step further comprises the step of analyzing live load files {See Fig. 13, Element ID 112 – Data Verification}. Data Verification would reads over analyzing live load files.

As for Claim 80, BOWMAN discloses wherein deployment step further comprises the step of creating a live database {See Fig. 12, Element ID 92 – Refresh Database}.

As for Claim 81, BOWMAN discloses wherein creating a live database step further comprises the step of processing live data and populating a live database {See Fig. 12, Element ID 92 – Refresh Database}.

As for Claim 82, BOWMAN discloses wherein deployment step further comprises the step of carrying out a deployment plan {See Fig. 2, Element 1.7 – Test Plan Refinement}.

Art Unit: 3629

As for Claim 83, BOWMAN discloses wherein deployment step further comprises the step of conducting a company post-project review {See Fig. 2, Element 1.10 – Final Test Plan Walkthrough}. This process must be conducted prior to End Process.

As for Claim 84, BOWMAN discloses wherein deployment step further comprises the step of conducting a client post-project review {See Fig. 2, Element 1.10 – Final Test Plan Walkthrough}. This process must be conducted prior to End Process.

As for Claim 85, which has same limitation as in Claim 1, therefore, it is rejected for the similar reasons set forth in Claim 1.

### ***Response to Arguments***

3. Applicant's arguments filed 3/14/2005 have been fully considered but they are not persuasive.

Applicant did not show reasons of the present invention to be distinguished from the art of record.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 3629

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

No claims are allowed.

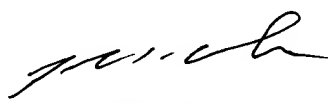
Art Unit: 3629

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cang (James) G. Thai whose telephone number is (571) 272-6499. The examiner can normally be reached on 6:30 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CGT  
08/2005

  
**JOHN G. WEISS**  
SENIOR PATENT EXAMINER  
TECHNOLOGY CENTER 3600